GOVERNMENT OF MADRAS. Secrets. II-28.—60,006—31-10-50.

Rev (195 / ) Department.

~~Endorsement~~
~~D.O.~~
Memorandum
~~Lodged~~

No: 69492 F/51-3

Dated 18/12 1951.

FURTHER PAPERS.

| Department. | Number. | Series. | Date. |
|---|---|---|---|
| | | | |

# FOR MYSORE STATE

To

Hon'ble Minister for Land Revenue,
Government of Madras, Madras.

T. Thimmappa Mally,
Thalapady, P.O.Manjeshwar, ... Petitioner.
South Kanara District.

Ref:- South Kanara Collector's Proceedings
R.Dis. P.S.R. II 723 dated 8-8-1951
reconsideration prayed.

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Sir,

I beg to place before you that I am highly aggrieved by the above cited order of the Collector of South Kanara District.

2. The District Collector in sanctioning the assignment of S.No.326/1 of Mudrady Village of Karkal Taluk has directed the Tahsildar of Karkal Taluk to sell the little tree growth by public auction.

3. The shrub tree growth stands in the plot assigned is spontaneous as such it was recommended by the Tahsildar of Karkal and also by the members of the advisory committee for land assignment to Political Sufferers.

4 I also beg to submit that the adjoining plot was assigned to another Political Sufferer with the tree growth on payment of seignorage fees fixed and many other Political Sufferers were assigned lands with tree growth.

5 I have given a statement with the Revenue Inspector during the time of enquiry that I want to take up pepper cultivation in the land and as such some of the trees are quite essential for the cultivation, I am making this special request to the Government to assign me the tree growth.

6 So I humbly request you to assign me the tree growth exempting the seignorage fees fixed or if under any

circumstances if it is not possible to exempt the seignorage on payment of the seignorage fees fixed I request I may be assigned the tree growth, for which act of kindness I shall remain ever grateful.

Yours faithfully,

T. Thimmappa Mally

Mangalore,
15-9-1951.

Documents produced.

A copy of the proceedings dated 8-8-1951 of the Collector ofSouth Kanara District.

Proceedings of the Collector, S.K.,
Sri. A. R. Rajaratnam, B.A.,
R.Dis.PSR-II.723, dated.8.8.1951:

ASSIGNMENT: Land - grant to Political Sufferers - Karkal taluk - Mudradi village S.No.326/1 - application of Sri. T. Thimmappa Maly - orders passed.

Read:1.Application dated.9.5.51 from Sri.T.Thimmappa Mally P.O Manjeshwar, S.K.
2.the connected records of enquiry.
3.Resolution dated.24.7.51 of the Non-official Advisory Committee, Mangalore.
4 Collector's proceedings R.Dis.PSR.II.56. dated.31.7.50.

Sanction is accorded to the assignment of the following land

Village: Mudradi. S.No.326/1. Extent: 6-66 acres carved out of S.No.200/1.

2. The Tahsildar Karkal, is requested to sell the trees standing on the plots on public auction before ~~xxxx~~ its assignment and to issue final orders in form 'D' after obtaining a declaration in duplicate as instructed in this office proceedin s Ref.B8.1130-48, dated.27.11.1948, one copy being submitted to this office urgently. The 'D' form should contain the special condition prescribed in G.O Ms.No.3102, Revenue, dated.23.12.47.

3. The applicant is informed that if he fails to accept these lands, his claims will be forfeited and no more applicat from him will be entertained.

by order/

Huzur Hd Clerk

C.F.15.8:
To the applicant Tahsildar

4

Revenue Department.

TELEGRAM **EXPRESS** **STATE**

**COLLECTOR**
**MANGALORE**

| | | | |
|---|---|---|---|
| **Assignment** [of] | **S.No.326/1** | **Mudrady** | **Village** |
| **Karkal** | **Taluk** | **Stay** | **Auction** [of] |
| **trees** | **pending** [in] | **disposal** [of in] | **appeal** |
| **petition** of | **Thimmappamally** | | **Resudandum** |

E

ss/1.10.51.

o/c.

1.10.51 P.C. in confirmation to the
F.T. Colln of South Kanara.
1.10.51

Memo No. 69 & 92 P/51-1 D. 1/X/51 Rev Dept.

Land. (South Kanara). Karkal taluk, Mudrady village, S.No. 326/1 - Granted to Sri T. Thimmappa Hally - Request for grant of trees on payment of value.

Remarks.

From Sri T. Thimmappa Halli petition dated 15/9/51

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A copy of the petition quoted above is communicated to the Coll. of South Kanara for very urgent remarks as to why the political sufferer should not be assigned the land with the tree growth on payment of ~~seing~~ seignorage fees.

The report should be sent through the Board of Revenue.

1/10/51

(1.105)

1/10/51

Pl issue necessary

1/X/51

SMS Pd.

EMS Rdd
16/X 1/11

Da the Coll of S Kanara with copy of petn in Rpt 1-2 cf
Copy to the Bd of Rev (Ex) with copy of Rpt 1-2 cf

65492 R/57

Note:

With reference to the minutes of HM (LR) on p/cf. A draft memo and telegram are submitted for approval. After issue the p/c may be circulated to HM (LR) & HCM.

1/10/51

1.10.51

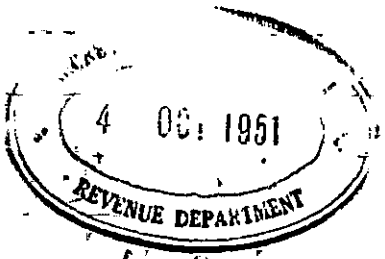
1.10.51

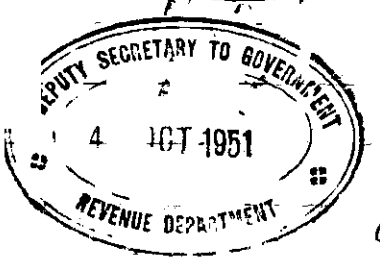
3.10.51

3/10/51

HM (LR) / HCM

(ai)




4/10/51

Revenue Department
Subject

F. 798 & F

18 NOV 1951

Land - Grant to Political Sufferers (South Kanara) - Kokal taluk Mudradi village - S.No.326/1 - Sale of trees - objection - objection - petition from Sri.T.Thimmappa Malli - remarks submitted.

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Station:Madras L.Dis.J.1515-51 Dated 12-11-1951

From

Sri.A.F.Mascarenhas,I.A.S.,Secretary Board of Revenue.
Sri.S.Ranganathan,I.C.S.,Commissioner of Land Revenue.

..

Read:- Govt.Memo No.69422-F-51-1 Rev. dated 1-10-1951.
From the Collector of South Kanara No.B8.27353-51 dated 18-10-1951.
.do. dated 5-11-1951.

L.Dis.

Submitted to the Government with reference to their memo cited above.

for Secretary.

To: The Secretary to the Government,Revenue Department,Madras
(with Collector's R.PSR II/723/51 and Collectors' letter)
Copy to the Collector of South Kanara.
ta.12.11.

BY REGISTERED POST.
Ref.BS.27353/51.

S.Kanara Collector's office,
Mangalore dated 18.10.51.

From

SRI A.R.RAJARATNAM,B.A.
Collector of South Kanara.

To

The Secretary to Government
(Revenue Department) Fort St. George
Madras 9.
Through
The Secretary to the Board of Revenue
(Land Revenue) Chepauk Madras 5
(In duplicate)

Sir,

LAND: South Kanara--Karkal taluk--Mudradi village--S.No.326/1--grant to political sufferers--request of Sri T.Thimmappa Malli for the grant of trees on payment of seigniorage value--petition--remarks.

Ref: Government Memo No.69422/F/51-1 dated 1.10.51.

I submit herewith the records of my office R.Dis.P.S.R.II/723 in which I accorded provisional sanction for the assignment of S.No.326/1 (6.66 acres) of Mudaradi village in favour of the political sufferer subject to the condition that the trees in the plot would be sold in public auction.

2. The petitioner who had already been granted 3.27 acres ~~of~~ dry in another village himself applied for this plot and accordingly, it was ordered to be assigned to him after placing the case before the Non official Advisory committee. I offer below my remarks on some of the allegations contained in the petition.

PARA 2 OF THE PETITION: The plot contains some 109 reserved and classifie trees, the greater number of them being Hopea-parviflora. The seigniorage value of the tree growth was worked out at Rs.329-2-6. With the ~~recent~~ orders of the Government that the seigniorage value of trees in ~~the~~ reserved lands should be enhanced by 200%, the value would come to three times this amount. To say therefore that the plot contains little tree growth is not correct.

PARA 3 OF THE PETITION: The sale of the trees by public auction w... ordered by me only after taking the advice of the Non official Advisory Committee, which has been following an uniform policy in the matter of the disposal of the tree growth ever since the receipt of G.O.Ms. No.3112 Revenue Department dated 4.12.50 please see B.P.Rt.1886 dated 27.3.51.

PARA 4 OF THE PETITION. It is true that lands were previously assigned by my predecessor (Janab Syed Ahmed) prior to November 1950 together with the tree growth in them after collection of the seigniorage value.

PARA 5 OF THE PETITION: What he has stated in his statement before the Revenue Inspector on 4.7.51 (page 15 of R.Dis.P.S.R. II.723 is as follows.
'I intend raising therein pepper and tapioca cultivation'
The petitioner had never said that the tree growth was required by him for the purpose of raising pepper though he had expressed his willingness to pay their seigniorage value without specifying the actual amount.

PARA 6 OF THE PETITION: No political sufferer was assigned any land till now exempting him from the payment of seigniorage value for the tree growth found in the plots.

3. In the result, it may be seen whether it is necessary to make a deviation from the uniform policy adopted by the Government in the matter of sale of trees by auction before assignment, in this one case. The petitioner is not prohibited from bidding at the auction and taking the trees. The sale of trees in public auction has not been stayed.

Yours faithfully,

20/10.

For Collector.

IC/20.10.51.

Special

T.M.

Rev Dept
9

From

As to Govt
Rev Dept.

Please p.c.
attach
Q.
16/11/51
5-5 P.M.

K.N.V
16-11-51

To, The Secy
Bd of Rev (LR)

Lands - (South Kanara) - Granting Gollarships -
Karkal taluk, Mudradi village, Sy. No. 326/1 -
Sale of trees in auction - Objection.
From the Bd of Rev Mem LDis T. 15/5/51
of 12/11/51 —

Please send very urgently
a copy of the letter of the Coll. of
South Kanara No. B8. 27353/51
dated 5/11/51 referred to in the
D.O.

A/10

Bdi refer quoted above as the same has not been received by this office.

16/11/51

16/11/51

16/11/51

P.C. to go
(Cr. 69492/51)

11

REVENUE DEPARTMENT
28 NOV 1951
8262

Furnished

Assistant Secretary
Board of Revenue,
Madras

To the Secretary to Govt.
R.D
with enclo. D 54 ⊗ to be
copied & sent.

SPECIAL.

GOVERNMENT OF MADRAS.
Revenue Department.

Post copy of Telephone message dated 16th November 51.

From the Assistant Secretary to Government of Madras.

To

The Secretary, Board of Revenue (L.R.)

Sub:- Land - (South Kanara) - Grant to political sufferers Karkal Taluk - Madradi Village - S.No.326/1 - Sale of trees by auction - Objection.

Ref:- From the Board of Revenue Ref.L.Dis.J.1515/51 dated 12-11-51.

Please send very urgently a copy of the letter of the Collector of South Kanara No.B.8. 27353/51 dated 5-11-51 referred to in the Boards reference quoted above as the same has not been received by this office.

/True Copy

16/11/51

K.N.R.16/11

Superintendent.

Copy of letter Ref. B8-27353-51 dated 5-11-1951 from the Collector of South Kanara.

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Sub:- Assignment - Land - Grant to political sufferers - (South Kanara) - Karkal Taluk - Mudra village - S.No.326/1 - Copy of Government Memo.No.69422-F/51 dated 1-10-1951 - submitted.

Ref:- Board's Ref.J. 1515/51-1 dated 31-10-1951.

---

I submit herewith a x true copy of the Government Memo No.69422-F-51-1, Revenue Department, dated 1-10-1951 with a copy of the post-copy of the Government's Telegram of the same date.

Sd. x x
for Collector.

(True copy)

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Copy of Government Memo.No.69422-F/51-1 dated the 1st October 1951.

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Land - (South Kanara) - Karkal Taluk - Mudrady village - Survey Number 326/1 - Granted to Sri T.Thimmappa Mally - Request for grant of trees on payment of value Remarks.

From Sri T.Thimmappa Malli, petition dated 15th September 1951.

---

A copy of the petition quoted above is communicated to the Collector of South Kanara for very urgent remarks as to why the political sufferer should not be assigned the land with the tree-growth on payment of seigniorage fees. The report should be sent through the Board of Revenue.

(True copy)

---

Copy of petition dated 15-9-1951 from Sri T.Thimmappa Mally of South Kanara District to the Hon'ble the Minister for Land Revenue.

---

South Kanara Collector's Proceedings R.Dis.P.S.R. II-723, dated 8-8-1951 - Reconsideration - prayed.

---

I beg to place before you that I am highly aggrieved by the above cited order of the Collector of South Kanara District.

2. The District Collector in sanctioning the assignment of S.No. 326/1 of Mudrady village of Karkal

Taluk has directed the Tahsildar of Karkal taluk to sell the little tree growth by public auction.

3. The shrub tree growth stands in the plot assigned is spontaneous as such it was recommended by the Tahsildar of Karkal and also by the members of the advisory committee for land assignment to political sufferers.

4. I also beg to submit that the adjoining plot was assigned to another political sufferer with the tree growth on payment of seigniorage fees fixed and many other political sufferers were assigned lands with tree growth.

5. I have given a statement with the Revenue Inspector during the time of enquiry that I want to take up pepper cultivation in the land and as such some of the trees are quite essential for the cultivation, I am making this special request to the Government to assign me the tree growth.

6. So I humbly request you to assign me the tree growth exempting the seigniorage fees fixed or if under any circumstances if it is not possible to exempt the seigniorage on payment of the seigniorage fees fixed I request I may be assigned the tree growth for which act of kindness I shall remain ever grateful.

(True copy)

For Asst. Secretary.

k.t.a.27/11.

Pl issue
Call for rules
= in Secy.
Ce 19/12/51 8/18/1/51

Memo no. 69492 F/51-3 D. 18/12/51. Rev Dept.

Land. (South Kanara) - Karkal Taluk, Mudrady village, Sy. no. 326/1 - Granted to Sri T. Thimmappa Mally after sale of trees in auction - Revision of orders - Petition rejected.

14

From Sri T. Thimmappa Mally petn. dated 15/9/51

From the Collr. of South Kanara rg. Bs. 27353/51 of 18/x/51

From the Bd of Rev Lr. dt. T. 15/5/51

12/11/51 -

The Govt. are not prepared to interfere on behalf of the petitioner. The petition is rejected.

2. The stay orders issued in the Govt. telegram dated 1/x/51 are vacated

17/1/1951 (Illegible)

pbl-2cy

pt cy

pt cy

pwcy

To Sri T. Thimmappa Mally, Thalapady, (Mudrady) P.O. Manjeshwar, S. Kanara Dt. (Para 1 only) P.T.O.

& 15

Do the Bd of Rev (LR)
with Coll's PSR II/
723/51. (AP)
Do the Coll of S. Kanara
S/CS-5.

69492 F/51

Revenue Department.

LAND - (South Kanara) - Karkal taluk, Mudradi village - S.No.326/1 - Granted to Sri T. Thimmappa Malli - Request for grant of trees on payment of value.

pp1-2 c.f.
pp7-8 c.f.
p 11 c.f.

From Sri T. Thimmappa Malli petition d/ 15-9-51.
From the Bd. of Rev. L.Dis.J.1515/51 d/ 12-11-51.
-do- N.Dis. d/ 27-11-51.

To A.S.

Please see the petition on pp.1-2 c.f., the minutes of H.M.(L.R) on p.1 c.f., the telegram on p. 4 c.f., the memo on p. 5 c.f. and the Bd.'s L.Dis. and its enclosure on pp.7-8 c.r.

para 2 p 1 c.f.

2. The petitioner has stated that the Collr. had ordered the assignment of S.No. 326/1 of Mudradi village, Karkal taluk, S. Kanara district, after the sale of the tree growth standing on the land in public auction. For the reasons stated in paras 3 to 5 of his petition on p. 1 c.f., para 6 pp 1-2 c.f. ~~he~~ the petitioner has requested that he might be assigned the lands with the tree growth either free of value or on payment of value at seigniorage rates. The Collr. was asked to stay the p 4-5 c.f. auction of the tree growth and submit a report through the Bd. of Rev. on the contentions of the petitioner. The Bd.'s refce. and the Collr.'s report on pp.7-8 c.f. may be perused.

p 8 c.f.

3. The Collr. has dealt with in detail the contentions raised in the petition. In the circumstances, ~~requested~~ reported by him the Collr. requests whether in this case the general instructions issued by the Govt. regarding the ~~sale~~ disposal of trees on lands para 3 p 8 c.f. assigned to Political Sufferers etc. will be ~~t~~ relaxed. ~~The~~ The Bd. has merely submitted the p 7 c.f. case to Govt. without offering any remarks.

pp 1-3 c.f.(V)

4. On a request from Sri M. Narayana Shetty that the trees on the land assigned to him should be granted to him on payment of seigniorage value, the matter was examined in pp 1-9 c.f.(V) detail and in that connection it was ordered in circulation p 9 c.f.(V) that his request should be ~~refused~~ rejected and that a uniform policy should be followed in the disposal of the tree growths, which are valuable, standing on lands that are assigned, and orders were p 3 c.f.(V) issued accordingly in ~~para 2 of~~ G.O.Ms. No.3112, Rev. dated 4-12-50. It will be seen from X on p. 8 c.f., that the land in question contains some 109 reserved and classified trees and that the statement of the petitioner that the land contains

6849 2/51

little tree growth is not correct. The Collr. has stated that the sale in auction was ordered after taking the advice of the non-official Advisory Committee which has been following an uniform policy in this matter since the receipt of the orders in G.O.Ms. No.3112, Rev. dated 4-12-50. If in this case the general orders are relaxed, there will be many requests for the relaxation of the above orders and it will create an inconvenient precedent. Therefore there appears to be no ~~case to exempt~~ reason to deviate in the general policy adopted by the Govt in pursuance of the petitioner from ~~the~~ orders issued in para 2 of G.O.Ms.3112, Rev. dated 4-12-50. For orders whether the petition may be rejected and the stay order issued in the matter vacated.

30/11/51

SECRETARY TO GOVERNMENT 17 DEC 1951 REVENUE DEPARTMENT

DEPUTY SECRETARY TO GOVERNMENT 17 DEC 1951 REVENUE DEPARTMENT

Draft

Written reference to the orders in circulation above, a draft memo is submitted for approval.

17/11/51